

CALLISTER NEBEKER & McCULLOUGH

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
GATEWAY TOWER EAST SUITE 900
10 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84133
TELEPHONE 801-530-7300
FAX 801-364-9127

SDMS Document ID



1009947

BRIAN W. BURNETT

TO CONTACT WRITER DIRECTLY
(801) 530-7428

E-MAIL ADDRESS
brianburnett@cnmlaw.com

June 8, 2005

Matthew Cohn
U.S. Environmental Protection Agency
Region 8
999 18th Street, Suite 300
Denver, CO 80202-2466

Re: Vermiculite Intermountain Site

Dear Matt:

I am writing on behalf of the Van Cott Bagley Cornwall & McCarthy Profit Sharing Trust ("Van Cott Trust") in response to your letter on behalf of the United States Environmental Protection Agency ("EPA") dated May 26, 2005 and received June 1, 2005, presenting a "framework for global settlement" regarding the Vermiculite Intermountain Site ("Site") relating to PacifiCorp, the Van Cott Trust, and La Quinta.

The Van Cott Trust is interested in resolving its potential responsibility regarding the Site through negotiations, however, in order to adequately evaluate its potential liability and your proposed framework relating to the Site, the Van Cott Trust needs documentation and information from EPA regarding the response costs incurred and work performed at the Site. You will recall from our telephone conference in November of 2004, that this information was projected to be made available by early January. It has not yet been provided. Specifically, we request :

1. Itemization of EPA's response costs relating to the Site;
2. Where contamination was discovered, its condition, and volume;
3. How response costs were spent on the Site;
4. A categorization of response costs including oversight costs relating to each portion of the Site, including the Frank Edwards building and the Artistic Printing building;
5. Any studies or analysis completed by EPA regarding the response action; and

Matthew Cohn
June 8, 2005
Page 2

6. Supporting documentation for the information requested above.

I would appreciate receiving this material as soon as possible so that the Van Cott Trust can timely respond to your letter.

Thank you for your cooperation in this regard. If you have any questions, please feel free to contact me.

Sincerely,

CALLISTER NEBEKER & MCCULLOUGH



Brian W. Burnett

cc: Kevin Murray
Mike Jenkins
Robin Main
Stephen Swindle
Art Ralph
David Boden
Mike Keller